

**BOARD OF SELECTMEN
MINUTES OF MEETING
AUGUST 25, 2014**

Selectmen present: Ladleah Dunn, Chair, Arthur Durity, Vice-Chairman, Rosendel Gerry, Cathy Hardy and Jason Trundy (joined executive session in progress).

The meeting was called to order by Chair Dunn at 5:30 p.m. at Lincolnville Town Office.

1. **Executive Session:**

Motion by Gerry, second by Hardy, that the Board enter executive session pursuant to Title 1 MRSA Section 405(6)(A) for the purpose of discussing the appointment of a Harbor Master persons to be included are the Board of Selectmen, Harbor Master Hutchings, Deputy Harbor Master Smith and the Town Administrator. Vote: 4-0 (Trundy joined session in progress).

Upon returning to open session, the quote was read by Selectman Durity.

2. **Citizen Input – Harbor Matters & Harbor Workshop:**

3. **Citizens' Forum:**

None

4. **Administrator's Report:**

Kinney reported that he had inspected the stone walls adjacent to the North Cobbtown Road and discussed the ditching with the contractor would had performed the work. The walls do not appear to be disturbed. Stones that had fallen towards the road had been removed from the ditch and placed back on the wall or behind the wall.

Selectman Gerry said that he had also looked at the location in question and confirmed the Town Administrator's report.

The paving contractor has completed the paving and has commenced with the shoulder work.

A draft of the project manual for the wave screen project has been submitted to the Town for review. A copy has been shared with the Harbor Master.

The drainage project at the ball fields has been completed.

The staff has commenced with sending materials to the auditor. The auditor will be in the office in early September.

5. **Meetings & Announcements:**

Kinney read the announcements.

6. **Upcoming Community Events:**

Hardy announced that Windjammer Weekend would occur this coming weekend.

7. Meeting Minutes:

Motion by Trundy, second by Durity, that the Board approve the August 11, 2014 meeting minutes as presented. Vote: 5-0.

8. Albert Blood Road Appraisals:

Richard Sanderson a long time resident of the Albert Blood Road reviewed the letters from Daniel Thomas, the Coastal Mountains Land Trust (CMLT) and the State of Maine Department of Inland Fisheries and Wildlife in support of keeping the Albert Blood Road a public road. He explained the layout of the road and stated that the road goes about 20 feet onto his property. From that point he has about a 150 foot long driveway. Sanderson explained that the CMLT has a deeded access across his lot. Although the remnants of an old road exist vehicular access does not cross the CMLT land. The CMLT land is not cabled off but there is a sign.

Trundy asked the Town Administrator how others could gain access to their property if the Town discontinued the road. Kinney explained that the road could be discontinued yet the public easement retained.

Sanderson stated that Daniel Thomas plans to build his home off the road. Sanderson asked what would be saved by discontinuing the road? He answered, not a great deal of money for plowing and sanding. The neighbors have been doing most of the maintenance.

Gerry asked how long the road is? Sanderson stated 0.23 miles. Gerry asked about the costs to plow and sand. Kinney stated that from his memory plowing is approximately \$2,000 per mile and sanding \$2,000+ per mile.

Sanderson suggested saving the appraisal funds and allow the road to remain public.

Hardy asked if the snowmobile trails cross the land. Sanderson said yes.

Durity inquired about maintenance of the road. Kinney explained that the Road Commissioner stated to him that the Town started maintaining the road when Dickie Heald built a house there in the 1970s. Sanderson stated the house was built in 1971.

Diana Sanderson stated that road maintenance should continue as they've been paying taxes for 37 years.

Trundy explained that he thought the appraisal was worthwhile as it will provide information upon which to make an informed choice.

Sanderson suggested the Town balance costs with public access which will be impacted.

Trundy stated that each road will be evaluated on a case by case basis.

The Board thanked the Sandersons for coming but took no action towards amending the appraisal contract.

9. **Letter of Support for Municipal Review Committee:**

Kinney explained that Sandy Carey needed to leave and left a note to apologize for needing to leave. He went on to explain that the Municipal Review Committee (MRC) represents the approximately 180 Charter Communities that dispose of their solid waste at the Penobscot Energy Recovery Company (PERC) incinerator in Orrington. The Town's contract to dispose of solid waste at PERC expires in 2018 and the MRC exploring alternative disposal solutions. Regardless of the technology chosen a landfill will be required to handle any residue or bypass waste. As a first step and due to the lengthy permitting time involved, the MRC has applied for a Public Benefit Determination with the Maine Department of Environmental Protection (MDEP). The MRC has requested that member communities send letters of support to the MDEP.

Durity stated that the Mid-Coast Solid Waste Corporation Board of Directors appeared split on the issue.

Dunn commented that the recycling rate is pitiful and single stream recycling should be explored. Durity and Kinney stated that this is being explored.

Trundy said that like it or not 2018 is coming and we need to be prepared.

Motion by Trundy, second by Gerry, to have the Town Administrator write a letter from the Town of Lincolnville to the Maine DEP in support of the MRC application for Public Benefit Determination. Vote: 5-0.

10. **Cemetery Trustee Update:**

Cecil Dennison, Chair of the Cemetery Trustees, requested that the Board adopt Maintenance Guidelines for Lincolnville's Ancient and Abandoned Cemeteries as recommended by the Cemetery Trustees and that the Board appoint caretakers for the ancient cemeteries in accordance with the recently revised cemetery statutes.

Kinney explained that the new amendments and the previously existing law was somewhat confusing so he put together a matrix to better understand obligations and optional maintenance items for the various categories of cemeteries. As the Town had yet to follow the process for taking over abandoned cemeteries he suggested that the guidelines only be adopted for ancient cemeteries. Kinney also explained his reservations concerning the long term maintenance items. While he thought these were well intended and worthwhile the Town should only be doing what it legally allowed.

Motion by Hardy, second by Trundy, that the Board adopt the Regular Maintenance Guidelines as recommended by the Cemetery Trustees for the use in Ancient Cemeteries within the Town of Lincolnville. Vote: 5-0.

Motion by Trundy, second by Hardy, that the Board appoint the Cemetery Trustees as the caretaker of Lincolnville Ancient Burying Grounds pursuant to Title 13 MRSA Section 1101-B sub-section 2. Vote: 5-0.

Gerry asked who maintains the abandoned cemeteries. Dennison replied that 13 cemeteries are maintained by volunteers.

11. Resignation and Appointments:

Motion by Hardy, second by Durity, to appoint Michael Hutchings to the position of Harbor Master for a term expiring in June 2015 with the condition that the Board and the Town Administrator come up with objective criteria for evaluation purposes and a plan for the Harbor Master. Vote: 5-0.

Motion by Trundy, second by Durity, to appoint Kendall Smith as Deputy Harbor Master. Vote: 5-0.

The Board expressed its thanks to Mike and Kendall for their assistance with the recently completed Harbor Workshops.

Motion by Hardy, second by Trundy to accept with regret the resignation of Donald Heald IV from the Recreation Commission and the Veterans' Memorial Committee. Gerry stated that he feels really bad about the resignations. Dunn stated that this will be a huge loss. Vote: 4-1 (Dunn opposed).

Motion by Trundy to accept the resignation of Corelyn Senn from the Cemetery Trustees. After discussion it was agreed by consensus to request that Ms. Senn meet with the Board in a future executive session to discuss the recent complaint. Motion withdrawn.

Motion by Gerry, second by Hardy, to appoint Scott Harrison as a regular member of the Planning Board with a term expiring June 2017. Vote: 5-0.

Motion by Gerry, second by Hardy, to appoint Ronald Moran as a regular member of the Planning Board with a term expiring June 2017. Vote: 5-0.

Motion by Hardy, second by Trundy, to appoint Dorothy Lanphear as a regular member of the Planning Board with a term expiring June 2016. Vote: 5-0.

Motion by Gerry, second by Trundy, to appoint Cornelia Parker as a alternate member of the Cemetery Trustees with a term expiring June 2015. Vote: 5-0.

Motion by Trundy, second by Hardy, to appoint Alexander Lyle to the Veterans' Memorial Committee as a regular member with a term expiring June 2015. Vote: 5-0.

12. Fireworks Ordinance Mailer:

Hardy suggested a mailer to reinforce the fireworks ordinance so that shorefront property owners and renters would have a clear understanding.

Motion by Trundy, second by Durity, that Selectman Hardy, with the assistance of town staff as she sees necessary, be authorized by the Board to prepare a summary

sheet of the pertinent facts from the Consumer Fireworks Ordinance and that the fact sheet be mailed to all Lincolnville lakefront owners. Vote: 5-0.

13. Treasurer's and Payroll Warrant(s) – Approve and Sign:

Motion by Trundy, second by Durity, that the Board approve and sign the Treasurer's and Payroll warrants. Vote: 5-0.

14. Executive Session – Discussion or consideration of the acquisition of real property (Title 1 MRSA §405(6)(C)):

Motion by Durity, second by Gerry, that the Board enter executive session pursuant to Title 1 MRSA Section 405(6)(C) for the purpose of discussing the possible acquisition of real property. Vote: 5-0.

15. Adjourn:

Motion by Hardy, second by Gerry, to adjourn. Vote: 5-0.

Respectfully Submitted,
David B. Kinney
Town Clerk